

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) CRNT-0034
<p>First named inventor: Paul Kline</p> <p>Application No.: 10/016,998 Art Unit: 2613</p> <p>Filed: December 14, 2001 Examiner: David Payne</p> <p>Title: Interfacing Fiber Optic Data with Electrical Power Systems</p>		
<p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300</p>		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p>		
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.</p>		
<p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p>		
<p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none"> (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 		
<p>1. Petition fee</p> <p><input checked="" type="checkbox"/> Small entity-fee \$ <u>770</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(m))</p>		
<p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of <u>a Reply to a Non-Final Office Action</u> (identify type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee and publication fee (if applicable) of \$ _____. <input type="checkbox"/> has been paid previously on _____. <input type="checkbox"/> is enclosed herewith.</p>		

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

October 1, 2007

Date

Melvin L. Barnes, Jr.

Typed or printed name

38,375

Registration Number, if applicable

1100 River Bay Rd., Annapolis, MD 21409

Address

301-581-0081

Telephone Number

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: **4988**

Paul A. Kline

Application No.: **10/016,998**

Group Art Unit: **2613**

Filing Date: **December 14, 2001**

Examiner: **David C. Payne**

For: **INTERFACING FIBER OPTIC DATA WITH ELECTRICAL POWER
SYSTEMS**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Statement of Facts Establishing Unintentional Delay

Pursuant to 37 CFR § 1.137(b), Assignee (Current Technologies, LLC) of the above referenced application has submitted herewith a Petition for Revival of an Application for Patent Abandoned Unintentionally and submits these Statements of Fact in support thereof.

1. The claims of the above referenced application were rejected in a Non-Final Office Action dated October 18, 2005.
2. On January 18, 2006, Applicant submitted a Reply. In addition to the Reply, the Applicant submitted an IDS and an accompanying 1449 form listing 40 prior art references.
3. On April 5, 2006, the Examiner issued another Non-Final Office Action stating that Applicant's Reply was unresponsive because Applicant failed to cite the relevant passages of the submitted prior art. The Office Action re-stated the previous rejections and did not consider

Applicant's amendments or arguments submitted in the Reply of January 18, 2006.

4. On April 20, 2006, and after speaking with Examiner Payne's supervisor (Mr. Jason Chan), Applicant and Examiner Payne conducted a telephonic interview in which Examiner Payne agreed to withdrawal the Non-Responsive Office Action, consider the prior art submitted, and issue a new office action. Examiner Payne stated that Applicant should wait to receive the new Office Action. Both Examiner Payne and his supervisor agreed that the Office Action incorrectly concluded that Applicant's Reply was non-responsive (there is no requirement to cite relevant passages in the submitted prior art).
5. On May 2, 2006, Examiner Payne faxed a summary of the telephone interview and, on the same day, Applicant filed a Summary of the Interview.
6. On October 17, 2006, a Notice of Abandonment was issued citing Applicant's failure to reply to the Office Action dated April 5, 2006 (the Office Action that Examiner Payne withdrew via the Interview Summary)
7. On October 31, 2006, Applicant filed a Petition to Withdrawal the Holding of Abandonment.
8. On September 26, 2007, the Decision on the Petition was mailed dismissing Applicant's petition.
9. Today, October 1, 2007, Applicant has submitted a Petition to Revive the Application for unintentional Abandonment.

DOCKET NO.: CRNT-0034-US

PATENT

Please charge any deficiency or credit any overpayment associated with the issue fee or the petition to Deposit Account No. 50-3970.

Date: October 2, 2007



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